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[673]

[674]

SUMMARY OF POLITICS.

IRISH CATHOLICS.—Let those who do not reflect spend their joy upon the “victories” gained abroad, my readers will, I hope, reserve some part of theirs’ for the victory lately gained in *Ireland* in the acquittal of Dr. Sheridan. We are expending enormous sums of money in the war against France; we are undergoing hardships of every sort for the support of that war, the purse and the veins of the nation are drained by it: and, what is all this for? For what purpose do we make all these hitherto-unheard-of sacrifices? What is the object held out to us by those who call upon us for the means of supporting this war? Why, to prevent our country from being subdued by Napoleon; and for what reason should we wish to prevent that? Why, because it is presumed, that if he were to subdue our country, he would take from us some part, at least, of that liberty (be it what it may) that we now possess. Well, then, to preserve this liberty is the object of the war; and, what a beast must he be, therefore, who tosses up his cap at every cry of victory from Portugal, and yet feels uninterested at what has now taken place in Dublin, in the acquittal of Dr. Sheridan? —The cause which led to the trial, as well as the proceedings on the trial itself, are stated in another part of this Number, and to that statement I beg leave to refer the reader.—It has been said, that the Irish people had no feeling in common with the Catholic leaders. This does not appear from the effect which this trial and acquittal appear to have produced in Dublin. “The words *Not Guilty*,” says the Freeman’s Journal, “were scarcely pronounced when a peal of huzzing and shouts rang through the Court and galleries, and shook the very Judicial Bench. It was caught by the anxious auditors in the hall. The Judges attempted to act; the enthusiasm deafened and destroyed every attempt. The Judges waited for some minutes, and the Chief Justice attempted to address the Court,

“but he could not be heard; nothing could be heard but the loud, the overwhelming torrent of popular enthusiasm. As the Jurors passed through the Hall they were greeted with waving of hats and clapping of hands.”—This shews that the people did feel upon the occasion; and, perhaps, they have seldom felt more upon any occasion.—JAMES II upon hearing a distant shout that seemed to rend the air, asked what it was; and, being told, it was *nothing* but the army then encamped on Hounslow-heath shouting for joy at the *acquittal* of the seven Bishops. “And do you,” said he, “call that *nothing*? ” It was ominous of what was to follow; and though we have no such sequel to apprehend in the present day, yet these clear and distinct expressions of public opinion must be supposed to be of some consequence; it must, by every rational man, be supposed, that they are not to be despised.—But, what do the ministers think of these matters? I do not know; but, I know what the venal prints say, and shall here quote a passage from the Courier of the 26th instant, which the reader will find worthy of his attention. It is very curious, and will be a thing to recur to hereafter.—“The Judges who, as our readers have seen in our private letter, delivered their opinions *seriatim*, were each strongly with the prosecution in point of law. The Jury, however, considered that the evidence was insufficient, and brought in a verdict of acquittal. Great, in consequence, have been the rejoicings of the populace, and with reason. For, after having been told that the Constitution afforded their rights inadequate protection; that the laws were not strong enough to prevent oppression; that the subject had insufficient guards and guarantees against the Crown; that *Juries would be packed to bring verdicts against the liberties of the subject*; in short, that the whole system was a system of tyranny and injustice; they now find that they have been daringly imposed upon; that the Constitution has been wickedly calumniated; and that the laws favouring no one class of society

" more than another, and dealing out the same measure of justice to the Peer and the peasant, afford equal protection to all. " This conviction we did not want: but we are glad that the veil of delusion with which the *Reformers* wished to blind the eyes of the people, has been thus removed, and that they now see they need not apply to Conventions nor to self-created Parliaments, unless their object be to destroy, instead of preserving those *Laws* and that Trial by Jury, which are now the subjects of their triumph and their exultation." — This is a poor miserable piece of sophistry and falsehood. In the first place, it is false that the *Catholics* or the *Reformers* ever complained, that the constitution did not afford adequate protection. They have, on the contrary, always said, that it did afford them ample protection; but, they have said, that the constitution had not fair play; they have said, that they were deprived of its benefits. — And, as to the packing of juries, what was predicted about this, might, for aught I know, have no foundation. It might have been, for any thing that I know to the contrary, what is here called a calumny. But, this acquittal does by no means prove that it was wholly without foundation. The jury were good men; but, that is no proof that it was not intended to have them a packed set. There is, indeed, no proof neither that it was intended to pack them; but, there is no proof that it was not so intended. Indeed there is no positive proof one way or the other; and the fact must, as in all similar cases, be left to be gathered from the chain of circumstances, which the proceedings present to the reader, and upon which circumstances I do not think proper to offer any opinion. — The idea here is, that, because an acquittal of a man, accused by the Attorney General, has taken place, there can have been no ground whatever to complain of any prosecutions of this sort, either before or now. In answer to which, I have first to observe, that the innocence of Dr. Sheridan having been proved by his acquittal, surely he may complain of the heavy expence to which he has been exposed and which he has incurred in consequence of a groundless charge pushed on against him at the public expence; and, surely, here is some ground of complaint for the public. — But, if we were to adopt the reasoning of this venal writer, and to conclude, that, because one acquittal has taken place, there can have been no ground to

complain of any former decisions, let us see whether it would lead us. The Seven Bishops were acquitted, their acquittal was the cause of great rejoicing; but, did it draw from the nation an acknowledgment that all former decisions were just? Did it make men acquiesce in the sentences upon Russell and Sidney? Because a jury acquitted the Seven Bishops, did the nation say, or did any one ever say, that the juries who sent Russell and Sidney to the block were not packed and perjured? And, again, did the acquittal of the Seven Bishops shut men's mouths either as to the past or the future? Did it prevent the people's alarm for their liberties? Did it prevent the "Glorious Revolution," which followed soon after, and which seated the present family upon the throne to the exclusion of the lineal heirs? — As to Ireland, I am not able to speak of the past. All the whippings and transportings and hangings and shootings that have taken place in that unhappy country, during the last twenty years, may, for aught I know, have been conformable to law; but, the acquittal of Dr. Sheridan does not prove this. It proves nothing at all relating to the matter. — It is perfectly notorious, that the juries of Russell and Sidney and a great many other innocent men were packed; it is as notorious that the Sheriff who packed them was chosen by the court for the express purpose of selecting juries to answer the purposes of that corrupt and tyrannical court; it is also notorious, that their decisions and the sentences grounded upon them have since been declared infamous, and that reparation has been done to the descendants of the sufferers. But, according to this venal man's mode of reasoning, those decisions and sentences ought to have been considered as just the moment a subsequent jury was forced to bring in a just verdict, and thus the joy which the people expressed at the acquittal of the Seven Bishops was to be construed into a mark of public approbation of all the numerous legal murders before committed. If this writer will look back into history, he will find, that the acquittal of the Seven Bishops had no such effect. On the contrary, it made the people more watchful over their remaining liberties, and gave them courage to endeavour to regain those that the tyrannical bigot had wrenches from them, in which endeavour they at last succeeded. — The acquittal of Dr. Sheridan must, therefore, rest upon its own bottom, and

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so must the general conduct of the courts and the government in Ireland. This acquittal has nothing to do with the past, and it may possibly have no effect as to the future.—I do not know whether it be too much to expect, but one must wish at any rate, that this acquittal and the demonstrations of public feeling that it has drawn forth may tend to produce those measures of conciliation, that I have so long been anxious to see adopted with regard to Ireland; for, when I am speaking of the *Irish Catholics*, I cannot get rid of the idea, that I am speaking of the *Irish Nation*. What joy it must be to Napoleon to see Ireland thus disturbed! Of all things in the world it is that which must please him the most. If the Catholics were to be silenced by these prosecutions, or by any other means, that silence would, in the mind of no rational man, be a mark of contentment and harmony; and it is harmony, it is *unanimity*, that this kingdom now stands in need of.

GENERAL HILL.—The affair, in which this General has been engaged, and of which an account was given in my last Number, appears to have been a very brilliant one. Here we have a proof of real victory. Here are a thousand prisoners actually taken, including many officers, and some of high rank. This is unequivocal success. What might be the circumstances I know not; what might be the advantages General Hill had and what the disadvantages of the enemy I cannot tell; but, upon the face of the thing as it now lies before us, this gentleman has shown a great deal of the character of an able general.—Yet, very little has been said in his praise by the *venal prints*. They seem to think very little of a thousand prisoners taken from the French upon this occasion. When were there, however, a thousand taken by us before? And this was achieved, too, with so little loss. We have had a long war in the Peninsula and have won a great many victories; but, does the reader recollect any other victory which was attended with the capture of a thousand of the enemy?—The Morning Post and the Courier have taken a great deal of pains to instill into the minds of their readers, that this movement of General Hill was planned by Lord Wellington, and thus the former is, by them, represented as little more than the mere executor of the thing; the mere agent, as the musket is in the hands of the soldier.—

This mode of representing the matter is not fair; for, though General Hill certainly acted under the orders generally of his Commander in Chief, a good deal, as to this particular case, must have depended upon himself; and, if he had failed, would there have been no *blame* imputed to him? Would the whole of the blame have been imputed to the Commander in Chief? Has this been the case upon former occasions?—As to a campaign upon the *whole* it is certain, that whatever success attends it the Commander in Chief is to be praised for; but, if he is to have the praise due to successes like that of General Hill, his eulogists will be so good as to bear in mind, that they expose him, on the other side; and yet, they would not, I imagine, be very ready to blame him for the escape of Brennier from Almeida. Justice, however, clearly demands this, if they insist upon ascribing to him, in so exclusive a manner, the merit of this affair of General Hill.

SPAIN.—BATTLE OF SAGUNTUM.—The French official account of this battle will be inserted in next week's Register. Here we have the detail of another real victory, and such a one as our allies will find it difficult, I believe, to repair the loss of. The result of a battle is what we are to judge by; and here we see 7,211 prisoners taken and sent off to France, and we also see a celebrated fortress fall immediately afterwards. This is *victory*.—The account of the siege of the fortress is very interesting. It shows, in a striking manner, what French engineers, with French troops under them, are capable of performing; and, it has awakened in my mind a thought, which had not before presented itself; namely, the possibility of a siege of Gibraltar succeeding in the same hands. That it will be attempted I have no doubt; and, though I cannot know how difficult the undertaking might be, having never seen the place, I know that there are very few difficulties that such besiegers would not, in the pursuit of such an object, overcome. For this, therefore, the nation ought to be prepared. Not that I look upon Gibraltar as of much real value to England; but, it has a great imaginary value. It is a possession of honour; but, this circumstance would be only a motive the more for the French to endeavour to put us out of it. If Napoleon should subdue the rest of Spain, it is not to be supposed, that he will ever make a peace,

leaving this proud fortress in our hands. We must, therefore, make up our minds to continue the war for it, as we began it for Malta; or we must, I think, make up our minds to give it up in the arrangements of a peace; that is to say, if Napoleon should finally subdue the rest of Spain.—I throw out this to the public here, in order that it may be thought of and talked of and that I may hear the opinions of others upon the subject. It is, as appears to me, an exceedingly great folly for us to cling to old prejudices. Europe has all been changed; there is a new distribution of dominions and power, and a new distribution of commerce is fast taking place. We cannot expect to remain unaffected by this change; and, we ought, in our views as to peace, to dismiss all old prejudices, and to consider merely what is likely to redound most to our own safety and our own happiness.—To return to MARSHAL SUCHET, the venal prints, by way of commentary upon the battle of Saguntum, tell us, that the man who won it was formerly a *barber*. These are very malignant and base men, but still *folly* is their great characteristic. For, what is the tendency of statements of this sort? Why, to exalt the character of that nation, whom it is their wish to decry. They publish the account of the battle; they cannot contradict that account; they are compelled to become the vehicles of the facts, that the fruit of this battle have been the fall of Saguntum and the taking of 7,211 prisoners of war. And, then comes the observation which they suggest to the reader, that this achievement has been performed by a *French Barber*! If, then, the reader might say, French Barbers can do things like this, what a nation must the French be! And, again, if the Spaniards, with their best generals and best army, and strongest fortress, and with most gallant fighting, were beaten by a French Barber, what chance have they of final success?—This puts one in mind of Mallet du Pan and the “Printer’s Boy” of Limosin,” who was opposed to the Duke of York in Holland. Does the sensible reader not perceive how all attempts of this sort have a contrary effect to that of degrading the French nation and their officers? Why, there are, after all, more Barbers and Printers Boys than there are noblemen (though these latter are become pretty abundant of late years in this country); and, who can fail to see, that the impression produced by these attempts at degradation is an impression, in the minds

of men in general, in favour of the enemy? —Then, again, what a conclusion do these attempts point to with regard to the French Revolution; and, of course, to revolutions in general? Before that event, we heard of no *Barbers* becoming great Generals. The Marshals of France, whom we used to see beaten, and whom we used sometimes to beat, were all of the *high nobility*. Of all the animals, two-legged or four-legged, exhibited upon our stage, a *French Barber* was the most contemptible. He was always the most ridiculous, puny, cowardly, and despicable thing that the author could imagine and that the manager could dress up. This was the idea we formerly had of Frenchmen in general, but especially of French barbers. What a wonder-working thing then, must this Revolution have been! What a change it has produced in the character of that nation! France has suffered much; but, was it not worth some suffering to effect a change like this!—These are the reflections, which the silly attempts above-mentioned are calculated to give rise to. It is obvious enough that such must be the effect of them; but the writers, of whom I am speaking, do not take time to look at ultimate effects. They are actuated by a desire to degrade the character of the men of whom they are writing; and do not perceive, that they do, in fact, pronounce not only the eulogium of these men, but also of their nation and of their revolution. This revolution it is to which a wise statesman will constantly look. He will examine well into the causes and the effects of it; and, he will find amongst the latter the triumph of talent and courage over birth. He will cast his eye over Europe; he will see that dominion and power have changed masters; he will see a total subversion of almost every establishment that before existed; he will see new sovereigns, new codes of laws, new connections of commerce. And, he will see, that all this has been accomplished by men emerging from the lowest walks in life, some of whom were at the plough and some upon the shop-board, when the sound of liberty was first heard in France. And, with these facts before his eyes, he will not be inclined to affect to feel contempt towards a great general, because he was once a *barber*; but, on the contrary, he will endeavour to draw forth from obscurity the talents and virtues of the *barbers* in his own country; that is to say, he

will avail himself of talent and virtue, find it where he may, either in high life or in low, and he will take care not to encourage publications like those upon which I have here been observing; for he will perceive, that they preach up revolution in the most persuasive language. When a barber is told that, before the revolution, Count SUCHET was a barber; when a labourer is told, that, before the revolution, the PRINCE OF ESSLING was a labourer; when the farmer is told, that, before the revolution, the DUKE OF TREVISO was a farmer; when the drummer is told, that, before the revolution, the DUKE OF BELLUNO was a drummer; when the printer's boy is told, that, before the revolution, MARSHAL BRUNE (I forget his title) was a printer's boy; when the post-boy is told, that, before the revolution, GENERAL DROUET was a post-boy; when the people in general are told, that, before the revolution, the now KING of NAPLES was living in an ale-house kept by his father, and that the EMPEROR himself is the son of "a Little Attorney." When these things are told to the people, what must naturally be the effect upon their minds; and what but the grossest folly could induce those, who wish to preserve the present establishments, to tell the people these things? Will the barbers and the labourers and the farmers and the drummers and the printer's boys and the post-boys and publican's and attorney's sons think the worse of the French revolution for being told this? And will they be the more likely to set their faces against any thing tending to a revolution in England? — I leave these questions to be answered by the wise men whose publications have called them forth.

NOTTINGHAM RIOTS. — These riots appear to be still going on. The rioters continue to enter houses and to demolish the *machines*, which they look upon as the cause of their want of employment. They have, however, committed, it seems, several other acts, such as setting fire to ricks and houses. It is a sad sight to behold, and the more so on account of the season of the year and the high price of bread, especially if we consider the several circumstances that seem to concur for the keeping up of that price. — These riots in Nottinghamshire, if they are very mischievous, as they are, in many respects, might still be useful in one way, if our writers would but make this use of them: I mean, if they would, for a moment, sup-

pose such riots to exist in Normandy, or any other province of France, or in any part of Holland; and tell us, what they would augur therefrom as to the disposition of the subjects of Napoleon in general. Would they not publish "*second editions*," in order not to lose a moment in conveying the glad tidings to this most thinking people? Would they not predict a counter-revolution, the fall of Buonaparté, and the restoration of the Bourbons? Yet, there would be no more truth in that than there would be in the French now predicting the fall of this government from the riots at Nottingham. This ought to teach these writers some degree of caution: it ought to operate as some little check to those sanguine conclusions which they are so ready to draw from every little brawl they hear of upon the continent. — The riots have undoubtedly arisen from the diminution in the demand for the articles upon which the people at Nottingham worked; and, as this diminution has arisen from the interdicts of Napoleon, he may very fairly be accused of being the instigator, the prime mover and cause of the riots. That he ought to be punished for this there can be no doubt; but, alas! he is beyond the reach of a *prosecution*! We must, therefore, do as well as we can, not being able to do what we would. He prevents the nations of Europe from wearing our stockings and cutting their meat with our knives; but our government prevents us from drinking his wine and eating his oil. We dare not say, that our government does wrong; and, really, we may full as well hold our tongues about Napoleon. He has his commercial system and we have ours. We do him all the mischief that we can, and he is by no means backward in the way of retaliation. — One measure that may be adopted, as connected with the cause of these riots, is the putting of a stop to the use of grain in the *Distilleries*, and this is, I suppose, to be done; but, if the Americans should lay an embargo, and thereby prevent the exportation of food to *Spain* and *Portugal*, the stoppage of the *Distilleries* will not answer much purpose; or, at least, it will not keep down the price of corn. This Embargo, if continued for any length of time, would be a measure of the most fatal tendency in this crisis of our affairs. It would compel us to send food out of England and Ireland to Cadiz, and Lisbon, and to many parts of the pen-

insula. Our armies must be fed from home, instead of being fed from America as they now are; and the West India islands also must be fed from home.—What would I do, then, to prevent this embargo? The means are always at hand. Come to an arrangement with America; repeal those Orders in Council of which she complains, and which were to be repealed upon the revocation of the Berlin and Milan Decrees. I see no obstacle to this. We have been trying this war of the custom-house for some years, and we find, not only that it is productive of great present distress, but that it is likely to transfer permanently a considerable part of our manufactures and commerce to other countries. Since, then, it has not succeeded, why not abandon it? We see Buonaparté abandon many of the modes of warfare that he tries. It is the part of wisdom to change a path that is wrong for a path that is right. Who that finds himself in a wrong path does not act thus? And, as to the *shame*, what shame can there be in doing that which is for our own good and for the injury of nobody?—Another reason for coming to a speedy arrangement with America, is, that the longer we delay it, the harder will be her terms. She becomes every day more and more independent of us, and she every day has a stronger ally in the growing fleets of Napoleon, and, indeed, in his armies. Every victory that France gains in the Peninsula tends to raise the demands of America upon us. In short, while we are in this state with her, every thing that injures us is for her good; and, as the distress of our armies for want of food would be greatly injurious to us, she will, in all probability, do whatever she can to produce that distress.—It is useless for us to rail at the President and the Congress, and excuse them of partiality for France: they have just as good a right to accuse us of partiality for Ferdinand. We cannot prevent their laying an embargo. They will do what they please in their own country, at any rate. We have the power to do at sea what we please, and we do not please to let them trade with the dominions of France. And, if they do not please to let their corn and meat go to Spain and Portugal, why, then, each party does his pleasure; and there is no more to be said about the matter.

HORSEWHIPPING.—And what can horse-whipping have to do with *Politics*? the



reader may ask. Very little, and especially the horse-whipping below recorded; but, the article which I have here to insert from the Star Newspaper of the 21st instant contains matter well worthy of public attention. After inserting it I will offer some remarks on it, which will, I think, show, that the subject is one of a really public and important nature.—

“REMARKABLE CASE.—Relating to an assault, tried at the Assizes at Winchester in 1810, Mr. Paddon, an Attorney at Fareham, Plaintiff, and Mr. Denmark, Surgeon of his Majesty's ship San Josef, Defendant.—A poor woman, wife to a marine on board the San Josef, lying at Spithead in July 1809, having travelled from Devonshire with two young children to see her husband, had the misfortune to have one of them taken ill with the small pox, shortly after going on board. She was, of course, in order to prevent the communication of infection among the ship's company, ordered on shore, among strangers, without money, without friends, and carrying contagion in her arms. A small subscription was instantly made at the ward-room table for her; and it occurred to Mr. Denmark, that he might be able to gain her admittance into a house entirely adapted for the reception of small pox patients, in the parish of Titchfield (to which he belonged, and which was situated about seven miles distance), through the medium of a MRS. BRETT, of that place, of whose humanity he had a high opinion. To effect this humane purpose, he wrote her the following letter, viz.:—“*His Majesty's ship San Josef, July 22, 1809.—My Dear Madam*

“—In the first place, give me leave to enquire particularly after your valuable health, and, in the next place, to recommend to your benevolent attention a poor woman, whose child has been taken ill of the small pox, on board this ship. We cannot, without endangering the ship's company, keep her on board, and her being a perfect stranger, with no friends at Portsmouth, will obviate her being received at lodgings. I have, therefore, my dear Madam, most earnestly to entreat you will use your beneficent influence to get her into the Pest-house. In this you will particularly oblige one who must ever hold you in the highest estimation. Believe me,

“My dear Madam, ever truly,—Your

" " obedient humble servant,—ALEX-
" " ANDER DENMARK.—P. S. The object
" " of your attention is a marine's
" " wife, who has travelled from Ply-
" " mouth."—This lady advised with the
" parish clerk, Roger Gough, who in
" his turn recommended the *opinion of an*
" attorney to be taken on the poor woman's
" case! Accordingly Joseph Paddon, an
" attorney at Fareham, upon the sole au-
" thority of this parish clerk, wrote Mr.
" Denmark the following letter, viz.:—
" " Fareham, July 25, 1809.—Sir,—The
" church wardens and overseers of Titch-
" field have directed me, on behalf of
" themselves and the rest of the inhabi-
" tants, to sue you in an action-at-law,
" or prosecute you by indictment, as coun-
" sel shall advise, for the *most unwar-
" rantable, illegal, and INDECENT* act
" they have ever had occasion to seek a
" remedy at law for. You have sent
" into the parish a family afflicted with
" the small pox, not having the least
" claim to relief there; and that too,
" in a manner which gives the *highest*
" offence to the lady, upon whose know-
" ledge of you in your profession, you
" presume to ask assistance of in this
" ABOMINABLE TRANSACTION.
" Your letter to her is before me. You
" state that it would endanger the ship's
" company to keep the family on board.
" Pray are not the lives of the inhabitants
" of Titchfield as valuable as those of the
" ship's company? And is not the life
" of Mr. Anderson, who has never yet
" had the small pox, but who was ne-
" cessarily the person to receive this
" pestilential consignment from you, of
" equal value with that of any indivi-
" dual on board the San Josef? You
" have caused the greatest distress in the
" parish of Titchfield, and must answer
" for the consequences. At present I can
" only demand of you a recompence for
" the injury which the parish as a body
" sustains. And I am directed to call
" upon you for your undertaking in
" writing to defray all the expences
" which the parish may incur in conse-
" quence of your " benevolent attention to
" a poor woman, who must ever hold you in
" the highest estimation." Your imme-
" diate determination will determine the
" parish, in whose behalf I am, Sir.—
" Your very obedient humble servant,
" J. PADDON."—Mr. Denmark, on the
" receipt of the above letter, waited on
" the parish officers, who assured him

" that, instead of having authorized the
" above Joseph Paddon to write to him
" such a letter about the afflicted family
" which he had sent into the parish, they
" did not so much as know of the circum-
" stance of the family being in the parish,
" except a Mr. Fry, one of the overseers,
" and even he had not authorized the writ-
" ing of such a letter as was sent by Pad-
" don. Upon receiving this information,
" Mr. Denmark repaired to Fareham, the
" place of the residence of Paddon, and
" finding the latter not in a humour to
" retract any of the expressions he had
" used, he, in the language of the law,
" committed an assault upon his body;
" or, in plain English, HORSEWHIPPED
" HIM. The consequence was, a prose-
" cution on the part of Paddon; and, as
" might be expected, a conviction at the
" assizes at Winchester in 1810. On the
" 14th instant, Mr. Denmark was brought
" up to the Court of King's Bench to re-
" ceive judgment, when he gave in affida-
" vits, stating that he had been called on
" to pay, and had paid the parish officers,
" for the expences of the poor woman and
" her children while in the pest-house of
" Titchfield! that he had been put to
" very heavy expences in preparing for a
" trial at the Quarter Sessions at Win-
" chester in 1809; that he had incurred
" more than seventy pounds in law ex-
" pences previous to June 1810 (not know-
" ing how much he had incurred since,) "
" and that he had now been compelled to
" leave his ship, and to travel expressly
" from Plymouth to London, and to re-
" main here many days, while his family
" were in the greatest anxiety on his ac-
" count. His Counsel presented several
" other affidavits, particularly one from
" Sir Charles Cotton, Commander in Chief
" of the Channel Fleet, strongly expres-
" sive of the humanity, benevolence and
" gentlemanlike behaviour of Mr. Den-
" mark, both in his professional and pri-
" vate situations; and expressing his op-
" nion, that nothing short of great provo-
" cation could have urged him to a viola-
" tion of the laws.—Also, an affidavit of
" Mr. Fry, one of the parish officers, de-
" claring that Paddon was not authorized
" to write to Mr. Denmark, in the unqua-
" lified terms he made use of in his letter
" to that gentleman.—The Court sentenc-
" ed him to pay a fine of 30*l.* to the King,
" and to find bail to keep the peace for
" two years.—In the course of the plead-
" ing in this cause, Lord Ellenborough

"observed, that "the Court felt that all "the conduct of the defendant was me- "ritorious up to the unfortunate moment "in which he exceeded the bounds of "law." He also observed, that Mr. "Serjeant Pell "need not enforce the "subject matter of Paddon's letter; for "the Court will perceive it was a "coarse letter, and that he was not "warranted to the extent he went."— The public are, indeed, little interested in the question, whether the horse-whip was used, in this case, too freely or too sparingly; but, they are, or ought to be, much interested in the circumstances connected with this horse-whipping, and which the horse-whipping has, at any rate, brought before the public.—We here see a poor woman, a soldier's wife, at 150 miles distance from her home, with two small children, and one suddenly taken ill of the small pox, recommended to the attention of a lady, in order that they may be received into a parish *pest-house*; and we see the gentleman, who had the humanity to give the recommendation, compelled to pay, out of his own pocket, the expences attending the keeping of these poor creatures, while in the pest-house. And, can this be according to law? Is it, then, a *crime*, punishable by pecuniary penalties, to recommend a poor helpless wretch to the charitable attention of any one? Is it here, in this country, where we are raising money to comfort the *Portuguese*, and where we almost blubber out loud at hearing recounted the sorrows of *Coffee and Quashee* and their sable offspring; is it here, in this country, where we seem to be beating up round the globe for objects of compassion; is it here, that it is a sort of crime to recommend a soldier's wife and children to the humanity of a parish? It may be said, perhaps, that the same thing would not have happened in any other parish in the kingdom; that, search England, Ireland, and Scotland through, you will not find a parish to do, in a similar case, what was done in the parish of Titchfield. May be so: I would fain hope so: but, the law? Is it possible, that Mr. Denmark was liable to an *action* or an *indictment*, for what he did? Is this possible? If it be, let us cease to talk about English humanity.—What was his crime? Why this: a soldier's wife, anxious to see her husband before he sailed to the Mediterranean, and he as anxious, doubtless, to see her and his children; this poor woman, with one child by her side

and another in her arms, tramps up to Portsmouth from the neighbourhood of Plymouth, a distance of about 150 miles. She goes on board, and she is hardly there when her youngest child is taken ill with a disease which too often proves mortal. She cannot remain in the ship, for there the contagion may reach a considerable part of the crew. She and her husband are compelled to part. And, under what circumstances! Reader, if you be a father, need I attempt to describe to you the feelings of this soldier at that moment? Talk to me not of "*our brave fellows*," "*our gallant tars*." This, unless you can feel for this man, is all empty sound. He is compelled to quit his wife and child; he sees them sail to the shore; and under circumstances the most painful that can possibly be conceived. They are 150 miles from home, they are friendless, penny-less, and his youngest child seized with a dangerous disease. But, he has some little hope, he receives some comfort, when informed that the Surgeon of the ship has had the goodness to recommend them to the protection of a lady and of officers of a parish near at hand. What must the man's thoughts have been when he heard the result of this recommendation? I do not mean the horse-whipping result; but the result as far as related to the people at Titchfield? Must not their conduct have made him ask himself, for whom he was daily venturing his life?—The parish officers of Titchfield appear to have had nothing to do with the offensive letter, which produced the horse-whipping; but they made Mr. Denmark pay, out of his own pocket, for the feeding and taking care of the poor woman and her children. They took care to do this; they inflicted this species of punishment upon him for his humanity: as an example, I suppose, to others likely to offend in the same way.—But, again I ask, is it possible, that Mr. Denmark did in this case, by recommending the poor woman to the lady and the parish officers, commit a *crime* in the eye of the law? If it be so, then what is to become of people in the situation of this poor woman and her child? If it be a crime to send a person into a parish, that person having the small pox, it must be a crime for a person so afflicted to go into a parish; and, as every spot of land in the country is in some parish or other, what, I should be glad to know, is to become of any one who is put on shore with the small pox? There seems to be a sentence of death

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passed before hand upon all persons in that situation, who may happen to be on board of ship.—It is, I think, impossible that such can be the law; or, if it be, there ought not a moment to be lost in altering it.—This is an object of much greater consequence than is that of educating the poor; and, there ought, in my opinion, to be some special regulations relative to the wives and children of Soldiers and Sailors, who are made of flesh and blood as well as other people, and who cannot live upon empty bombastical praises.—Of the conduct of the several individuals, in the transaction hererecorded, I need say nothing. The facts speak for themselves, and no man of a right mind will fail to draw a proper conclusion from them. That the parish officers should have made Mr. Denmark pay the expences is what does very much surprize me; and, I should be glad to know, whether even that was legal.—One thing remains to be noticed, and I deem it worthy of the reader's particular attention, if he be not already well acquainted with Parish law.—We here see, that it was the *Parish Clerk*, upon whose instructions the Attorney acted in the case before us; and, the Parish Clerk appears to have had nothing more than the *bare consent* of a parish officer; but, that officer was but *one out of six*, all the rest of whom have, upon their oaths, disavowed having had any knowledge of the matter. So that here is all this turmoil conjured up by the Parish Clerk acting upon the *bare assent* of one of the Parish officers. But does the reader imagine, that parishes are to be plunged into law in this way? Does he suppose that any Parish Clerk, or even Parish officer, has the power to make the people pay taxes in order to put money into the pockets of Attorneys, or to gratify any whim or passion of his own, under the garb of *going to law for the parish*? If the reader thinks this, he is mistaken; for no Parish officer, no, nor all the officers of a parish put together, can legally employ any Attorney or Advocate, on the Parish account, without the *consent and approbation of the Parish, given in Vestry*. If the law were otherwise, what parish would be safe from ruin? Any litigious man, in the character of overseer or churchwarden, might give the parish as many law suits as days in the year. I do not know a cheaper way for a vindictive man to gratify his hatred of his neighbours. The law does not permit this: it

does not hold out this temptation to any litigious man to indulge his mischievous taste at the expence of others. It requires that, before an Attorney be employed in behalf of a Parish, the whole Parish shall be consulted and give their assent. How necessary this is, appears from the ease before us. It appears that five out of six of the Parish officers were wholly ignorant of the Attorney having been applied to; and, that the one, who was acquainted with it, had merely given his assent, and that, too, with reluctance. So, in fact, here we see the Parish Clerk, who is no parish officer, setting an Attorney to work in the name of a whole Parish, the Parish being almost wholly ignorant of the matter. This would have been prevented, together with all the consequences, if the Parish had been called together and consulted before the Attorney had been employed; and I hope that this case will be a warning to Parishes how they act in this respect.

* * * In the last Number, in the remarks upon *MR. WHITE'S TRIAL*, at page 648, there was an error of the press. Instead of "1774, 5, 6, &c." it should have been "1794, 5, 6, &c."—I find, too, that there was an error in my assuming, as a fact, that the *author* of the alledged libel was *Mr. White's son*. I see, upon looking over the defence again, that this is not particularly stated, and that Mr. White speaks of an *agent*, without any thing further.

W.M. COBBETT.

*State Prison, Newgate, Friday,
29th November, 1811.*

IRISH CATHOLICS.

In the present volume of the Register, at pages 193 and 215 and the following ones, an account will be found of the *cause* of the prosecution of Dr. Sheridan and the several other Catholic Gentlemen, whose trials are now going on in Dublin. It would, therefore, be useless to repeat here the circumstances whence the prosecutions arose. The *trial* of one of the gentlemen, Dr. Sheridan, has taken place, and an *acquittal* has been the result. I shall here, therefore, give an account, taken from the Dublin Papers, of the Proceedings on that trial, which are of very great importance. I beg the reader to attend in particular to what is stated as to the *formation of the jury* and as to certain other points, which were

discussed before the Judges and decided on by them, before and during the Trial.

COURT OF KING'S BENCH, DUBLIN, Wednesday, 20 Nov. 1811.—Dr. Sheridan was called upon his trial, and the following Jurymen answered to their names, and appeared in the box.

1. Benjamin Geale, Esq.—Mr. Geale was asked by the Traverser's Council, if he had formed or declared any opinion upon the subject? But the question was over-ruled, and he was sworn.

2. Peter Digges Latouche, Esq. *sworn.*

3. John Roche, Esq. objected to by the Crown.

4. John Lindsay, Esq. ditto.

5. Bartholomew Maziere, Esq. do.

6. Leland Crosthwaite, Esq. *sworn.*

7. John Orr, Esq. *sworn.*

8. Richard Darling, Esq. objected to by the Crown.

9. John Duncan, Esq. *sworn.*

10. William Hutton, Esq. objected to by the Crown.

11. Thomas T. Frank, Esq. ditto.

12. Francis Beggs, Esq. do.

13. Alexander Jaffray, Esq. do.

14. John Pepper, Esq. *sworn.*

15. Patrick Marsh, Esq. objected to by the Crown.

16. Richard Geoghegan, Esq. do.

17. William Sparrow, Esq.—Upon the book being handed to Mr. Sparrow, Mr. Burrowes objected to Mr. Sparrow, as being an Orangeman; the Chief Justice declared that was no legal objection. Mr. Burrowes then proceeded to make his challenge against Mr. Sparrow, that as an Orangeman, he had malice against all Roman Catholics, and, of course, against the Traverser.—The two first of the Jurors who had been sworn, Benjamin Geale, Esq. and P. D. Latouche, Esq. were appointed to try the challenge, and Mr. Sparrow was sworn to give evidence.

The Chief Justice observed upon the novelty of a man being sworn to give evidence against himself; but if both sides assented to it, the Court will not interfere.

Mr. Burrowes stated, that he had made a fair appeal to the Counsel for the Crown to have Mr. Sparrow sworn, in order to shew that he belonged to a society hostile to the religion of the Traverser.

Judge Day.—If the man has taken an unlawful oath he is hardly bound to acknowledge it, as he subjects himself to a serious indictment. If he has taken the Orangeman's Oath I don't know that he could have taken an oath more unlawful.

The Chief Justice.—He cannot be examined to make himself infamous in society. I will not object, however, to any proper question.

Mr. Johnson—A number of questions may be asked him to make the objection intelligible to the Jury, without asking an improper one.

Mr. Burrowes.—We have no witness to prove the fact but himself, and we appeal to his conscience.—The objection was over-ruled by the Court, as no sufficient proof was adduced. Mr. Sparrow was accordingly sworn.

Mr. Burrowes.—If there are nine other Orangemen on the panel—we shall make no further observations.

Robert Orr, Esq. objected to by the Crown.

Thomas Meade, Esq. do.

R. Williamson, Esq. do.

Thomas Jameson, Esq. do.

Thomas Prentice, Esq. do.

N. Wade, Esq. do.

John Hutton, Esq. *sworn.*

W. Humphreys, Esq. objected to by the Crown.

James Chambers, Esq. do.

Wm. Wood, Esq. do.

James Jackson, Esq. do.

Robert Armstrong, Esq. *sworn.*

Edward Clibborn, Esq. *sworn.*

Charles M'Kernon, Esq. was objected to by the Crown.

Thomas Richardson, Esq. do.

Charles Pentland, Esq. *sworn.*

John Hamilton, Esq. *sworn.*

Of the above, our readers will perceive, twenty-two were put by, by the Crown, and none by the Traverser.—The Clerk of the Crown stated—"Doctor Sheridan has been indicted for an offence, of which he has traversed—you are to try whether he is guilty or not."

Mr. Kemmis, the junior Counsel for the Crown, opened the pleadings.

The Attorney General then addressed the Jury to the following effect:—I congratulate you, Gentlemen of the Jury, that the long expected day of Justice has at last arrived, and I am sanguine that the result of this day's proceedings will frustrate the designs of treason, and give a check to the disguise of faction, and folly. The case itself lies in a narrow compass, both with respect to the law and the fact: it is, however, connected with such a variety of matter, that I must trespass upon your patience much longer than I could wish. I hope the issue of it will be to restore our

peace, allay the discontents, and abate the ferment which prevails in this country. Treason and disaffection, Gentlemen of the Jury, have been but too successfully exerted in influencing the minds of the Roman Catholics of Ireland, and the project of a Convention was detailed in Resolutions of a certain Aggregate Meeting, assembled in this city, the 9th of July last. The Aggregate Meeting sprang from a Resolution of a Committee, which, for 18 months, had acted a distinguished part, under the name of the General Committee of the Catholics of Ireland. When I talk of treasonable views—bottomed in treason and rebellion—let me not be misunderstood.—A great proportion of Roman Catholics are loyal and amenable to the laws, and look with alarm and dismay at the unwarrantable and false proceedings which have taken place in the name of the Roman Catholics of Ireland. I do declare that a great proportion of them are loyal, and take no part in their projects. Some of them are misled, and are dupes, and made the instruments of designs which they would abominate if they were to know them. Young men, in particular, of ardent minds, have engaged in those political pursuits, with no criminal object; they merely desire to raise themselves to notice, and to make speeches. Some of those speeches are most dangerous and unwarrantable, the work of United Irishmen, labouring for a separation of this country from England. Others are made merely for the gratification of vanity, the authors not seeing that they are acting adverse to the public peace, and contrary to the success of that very Catholic Emancipation they pretend to be the advocates of. I will now call your attention to the Resolutions of the Aggregate Meeting of the 9th of July. Here the Attorney-General read the Resolutions, as follows:—First—That being impressed with the unalterable conviction of the undoubted right of every man to worship his Creator according to the dictates of his own conscience, we deem it our duty thus publicly and solemnly to declare our decision, that no government can inflict any pain, penalty, or privation, for obeying that form of Christian Faith, which, in his conscience, he believes to be right.—Second—That we again Petition the Legislature for a repeal of the laws affecting the Catholics of Ireland.—Third—That, in exercising our undoubted right to Petition, we will adhere to the ancient forms of the Constitution, &c.—Fourth—

That a Committee be appointed to inquire into the Penal Laws, and make a report of the same, within one month—all which were carried unanimously. That the Committee to be appointed to prepare Petitions to Parliament, do consist,—First—Of Catholic Peers, and eldest sons of Peers and Catholic Baronets.—Second—Catholic Prelates.—Third—Ten persons chosen from the Counties, and the survivors of the Delegates of 1792 to form an integral part of these ten.—Fourth—Four persons from each of the Counties in Ireland; which resolution was likewise carried unanimously.—These resolutions were merely to throw dust into the eyes of loyal Catholics. Fully aware of the law they were about to offend, they professed obedience to it while they were actually disobeying it. Observe, they appoint managers to conduct Catholic affairs until a new Committee is elected, an interim government was appointed not confined to a Petition to Parliament, but to manage Catholic affairs generally. By the Constitution the management of the public affairs is entrusted to the lawful Government of the country. But this is a disclaimer of all Government, and such proceedings are hostile to Government. It is said, that an assembly so constituted, would not act contrary to the peace and tranquillity of the country; but a few respectable loyal men in such an assembly, could be no guarantee for its conduct; the intemperate men, in all such meetings, govern the rest. This Committee took its rise from the last; look at what their proceedings had been. Their language had been so seditious, treasonable and indecent, that their Press, wicked and daring as it had been, was alarmed, and would not venture to insert some parts of their speeches—but left chasms and blanks in their paper, for that which they dare not tell. Every Catholic of respectability felt himself scandalized by such wicked and dangerous proceedings. Every loyal man was calling out against such bare-faced sedition. Government was blamed for not interfering. In February, however, they were about to terminate their sittings; a circular letter from the Committee was issued to call a renovation of itself; then, and not before, Government interposed, not by a measure against law, it merely signified to the Magistrates throughout Ireland, that the intended elections were against Statute Law, and should be prevented. This had the desired effect; for a time it was abandoned. Several re-

spectable members of the Committee who had left it, however, went back to it, believing, perhaps, the existence of it was useful to the cause, their presence was a restraint upon the rest, and a Committee was from that circumstance not interfered with until the close of their sittings. The meeting of the 9th of July was composed of some of the members who had been guilty of the greatest excesses. It is impossible not to conceive, however, that there was a portion of well meaning men amongst them. It was then held out to the loyal Catholics of Ireland, that their attention was merely called to the Petition, and for that purpose it was necessary to elect a Catholic Convention—but see what the substance of the Petition is, which was thus made a pretence of assembling this Convention. In order to shew what little deliberation is necessary to frame a petition, I will state to you, what the state of the Catholics was in the year 1778, and what it is now.

[Here the Attorney General went into a statement of what the penal laws were at that period, and their gradual repeal, and what the restrictions were which still continue. In running over the list of penal laws he mentioned one which encouraged the son to rise up in rebellion against the father, one which dispossessed a Catholic of his horse if it was worth more than 5*l.* &c. &c. &c.; and when he ended a narrative of this description, a smile of contempt at the bigotry of those disgraceful times, spread through the court, and created a temporary interruption. The Attorney General, when this subsided, proceeded].—Let it not be understood that I mean to speak lightly of these matters; I acknowledge the repeal of them are laudable objects for men of rank and talents to pursue.—But what is the object of the Petition? Those restrictions can be expressed in a narrow and confined compass. Persons capable of reading and writing could form a Petition at once, and without difficulty; and therefore to talk of collecting a National Convention for the purpose, is an imposition upon common sense. Their Petition has been again and again presented to Parliament; it has been discussed by Parliament, and has never been rejected for want of form. Why has it therefore been now thought necessary to summon a Convention to deliberate upon it: to call a Convention of 500 persons, to act in the capital, day after day, and month after

month? Because there is a Rebel party and a party of United Irishmen at work, and who now endeavour to effect by artifice what they could not do by force in 1798, and in 1803—they may have an object in calling a National Convention, because such desperate, wicked and factious persons always sway such assemblies. How was this Convention to act but by the example of that Committee, out of which it was to spring?—What rules or orders were to govern them? Our Parliament cannot meet but by order of the King, and cannot sit a moment longer than he pleases. But this Convention, self-created, has no law but its own discretion—such an assembly can never be tolerated under any form of government. This is no contest between the Government and the Catholics.—I deny it.—It is a contest between the law and the violation of the public peace. Government would be unable to stand, if it was obliged to submit to such things. The Press says the right to Petition is attacked—it is no such thing. Because Government stops a National Convention, can it be said they stop Petitioning? Because the Catholics cannot have a Parliament of their own, do they complain of not having the Right to Petition? The Attorney General then adverted to the origin and necessity of the Convention Act, which was adopted in consequence of intended meetings proposed by the North of Ireland. He then proceeded with great ingenuity and ability, to comment on the Convention Act, and its applicability to the case of the Traverser, but we must defer the remainder to allow ourselves time to detail the evidence.

John Shepherd was the first witness called, was examined by the Solicitor General. He said he was a police officer. He attended at Liffey Street Chapel on the 31st of July last according to directions. He knew Dr. Sheridan. The Meeting was large, but he could not take upon himself to say how large. Dr. Sheridan was in the chair. Heard Mr. Kirwan address the Chair, and make a motion for a petition to the Prince Regent and both houses of Parliament for a Repeal of the remaining disabilities which affect the Catholic body. The question was put upon this motion by Dr. Sheridan, and it was carried unanimously. He recollects another motion for appointing a Committee of five, to represent that parish in the General Committee—he omitted

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those particulars, appointing a Committee to prepare and present a petition, and transact the business of the Meeting in the General Committee. It was not in his recollection that this motion was put in consequence of any former Meeting. The motion of appointing five Delegates was put by Dr. Sheridan. There was some difference as to the mode of electing the five: it was proposed at length that seven persons should be appointed to select five out of a list which was furnished. The proposal was carried, of the seven persons who retired two alone, as he could perceive, for he was in a situation to command a general view, returned.

One of the persons returned, handed a slip of paper to Dr. Sheridan. He believed Dr. Sheridan handed the slip of paper to another, and from it were read the following names; Dr. Sheridan, Thomas Kirwan, Henry Edmund Taaffe, Francis Sweetman and Richard Shiel. Dr. Sheridan was removed from the Chair, and Dr. Burke took it and put the question of Dr. Sheridan's election, which was carried unanimously. Dr. Sheridan then resumed the Chair, and all the new nominations were carried unanimously with the exception of one. Mr. Kirwan, and Mr. Taaffe returned thanks for the honour of their election. Mr. Sweetman was not present, but some person spoke for him. Mr. Shiel was in London, and this was the reason of an opposition being made to his nomination. Dr. Sheridan left the Chair and Mr. Taaffe took it, when the thanks of the meeting were voted to Dr. Sheridan. The motion was carried unanimously, and Dr. Sheridan merely thanked the meeting. Liffey-street Chapel is in the parish of St. Mary. No other business done but what he related—could not swear that he was at Fishamble street on the 9th of July.

Cross-examined by Mr. Burrowes.—He was of the Established Church. Did not go to Liffey-street Chapel as a member of the meeting. It was open to every one. No concealment. There was no abuse of any individual or government. He could discover no sedition at the Meeting, from the respectability of the persons who attended he would be surprised to find any thing of a seditious tendency. *He believes the Meeting met to Petition Parliament and to Petition Parliament alone.* He believes the resolutions were read from a written paper. [Here he was shewn a brief containing a resolution; he believed

it was the first. He read another which he said was like the second; but it was not at all so full.] He swore positively to the word *represent*—oh! he begged pardon, he meant *prepare* or *present*. When he said *prepare* or *present* he did not mean to say *represent*. He did not doubt but a written document would give a better account of the proceedings than he did. He again said he thought the only object of the meeting was petitioning. ‘Did you not,’ said Mr. Burrowes, ‘talk of transacting other business?’ [In answering this the witness seemed to have a confusion of ideas.] Five delegates were appointed, but he believed that petitioning was the object of the meeting. There was no business but about petitioning. Did not recollect where they said would ‘transact’ business. He believed Liffey-street included the parishes of St. Mary’s, St. Thomas’s and St. George’s. He took a memorandum of the proceedings of the meeting, but has it not now. He had it *ten days ago*; knew then he was to appear in this case as a witness. He was not desired by any one to leave the memorandum at home. He does not know but it is in his desk. If he had it he would bring it. He looked in his desk and could not find it; *yet it may be in his desk.* He was sent to this meeting as to others; and he told those he had a right to tell what took place. He believes he gave his report to the Magistrates. He does not know to whom he gave it. Alderman Pemberton, Counsellor Hare, and Major Sirr, were present when he gave it. He thought that Major Sirr and Counsellor Hare were together when he gave it in. He said he had *General Orders* to attend the Meetings. “Those *General Orders* did not come from Heaven,” said Mr. Burrowes, “and from whom did they come?” Sometimes from the Magistrates, and sometimes from the Chief Constables. He acknowledged he swore informations against Dr. Breen on hearing of his name. All he swore was hearing of his name. He swore the information before the Chief Justice. He did not see Dr. Breen. The Second Clerk of the Police Office swore against some others; it was not on his information Dr. Breen was arrested. This meeting did not last half an hour.

James M'Donough, examined by Serjeant Ball.—He is a clerk in the head police office. Was on the 9th of July at Liffey-street Chapel with Shepherd.—He heard Mr. Kirwan move five persons to present a petition and to represent that

parish in the General Committee. [He answered the matter of course questions without differing from the other witness.]

Cross-examined by Mr. Burne—*Shepherd* and he went together by order of the Magistrates, either Hare or Sirr. Is a clerk. Took notes of the proceedings according to order. He does not know what became of his notes. He saw them [like the other] ten days ago. He did not give his notes to any Magistrate; nor was he asked for them only once by Mr. Hare. He did not give them then, but the informations were grounded upon them. He did not see them since he looked at them last. He does not know on what occasion he looked at the notes. He believes they are in his desk or elsewhere. (He was asked to repeat the Resolutions; and he seemed to be as *undecided* as the other witness on strictness of expression. He believed the word "*We present*" or *something like it*, was in the Resolutions.) He believed the Resolutions were on paper; and that the Chairman spoke from a *written report*. He did not see Dr. Breen though he swore an information on which he was arrested. He heard the name of Dr. Breen mentioned.

FRANCIS HUDDLESTON, commonly called *Captain Huddlestone*, was next examined and cross-examined. He is now, it appears, a news-paper reporter, has been a Captain in the army, has been in the Barrack Department. He gave an account of what passed at the Meetings of the Catholics in Dublin; he stated the purport of the resolutions that they entered into; and gave an account of the part which the defendant took therein.—Here ended the proceedings on the 20th of November.

On the 22nd the Trial was resumed, when the Chief Justice called on Mac Donough, a Clerk in Major Sirr's Office, to explain certain parts of his evidence which, in his Lordship's mind, were contradictory and inconclusive. The witness was examined by the Court, and appeared very much dashed and confounded. He was asked, whether among these persons sworn to in the information he had mentioned Doctor Breen as present.—He could not actually say that Doctor Breen was in the Chapel at Liffey street—heard his name to the best of his recollection mentioned—did not see him in the Chapel—knew his person, and heard that he was one of those concerned in the delegation.

Mr. Justice Osborne.—But in the infor-

mation before us, you do not speak as to your belief—you swear positively that Doctor Breen was one of the persons chosen.

Chief Justice.—Then you swore positively to a man whom you did not see.

Witness ordered to retire.

Mr. Burrowes then addressed the Jury. The Learned Council began by arraigning the conduct of the Crown in the formation of the Jury. He lamented to have witnessed that more decency, or the appearance at least, if it was no more, of justice on the part of the Crown. He did not lay any blame to his Majesty's Attorney General. It was notorious that on the Jury, there was not a single Catholic, in a cause, in which the Catholic Interest was so deeply concerned. He reflected upon the circumstance with pain, not unmixed with a considerable portion of dismay, that in a City, nine-tenths of whose inhabitants consisted of Catholics, not one was to be found on a Jury in which the Catholics were to be tried. It was, he feared ominous for the Country, when Government had recourse to such paltry artifices. Nay, the only Catholic on the pannel was instantly objected to—but that was not enough for the Crown—it was not content with objecting to the solitary Catholic—but in the spirit of liberality which so very honourably distinguished the Administration of the Country, it objected against twenty-two Protestants upon no grounds whatever. These Protestants, it should seem, were under the suspicion of being suspected as friends to the great Catholic Cause. But the very circumstance of these shameful challenges put the present Jury in a most delicate and awful situation. The eyes of the Country were on them. From the partiality evinced by the Crown to their selection from among so many of their excellent and liberal fellow citizens, it would naturally be concluded that they were prejudiced, and illiberal. He did not insinuate that they were, he believed in his heart that they were not—but see the situation in which they were placed by the Crown—a situation he would contend not only indequate but almost unconstitutional.—They would, however, he felt convinced, risk themselves from the peculiarity in which they were so unhandsomely placed, as contradistinguished from the remainder of their fellow-citizens.—Mr. Burrowes then, at great length, went into the subject matter of the trial

before the Court. As we have already said, it would be impossible for us, to enter into any thing like a detail of this admirable forensic display. He first addressed himself to the facts, then to the Law—next to the History of the Catholics of Ireland, and finally to the Policy of the Irish Administration. In all these divisions, Mr. Burrowes was supereminently, supremely happy. But we are compelled to reserve until our next a satisfactory report of this admirable speech. After he had sat down, there was a murmur of applause, and he was congratulated on all sides by his friends. Indeed the union of honesty and talent was eminently conspicuous in this address, and we never saw more powerfully exemplified what great virtue, aided by great ability, is able to perform. In the course of his speech Mr. Burrowes pronounced a panegyric on the free press of Ireland, and stigmatized in his powerful and impassioned language the incendiaries and slaves hired by the Castle to influence the popular mind, and to inflame the people to madness.—When Mr. Burrowes had concluded, the Council for the traverser, relying upon the evidence of the Crown and the Law and Justice of their case, declined calling witnesses or occupying the attention of the Court and Jury on a case which they considered already proved for their client.

The Solicitor General rose to reply. Mr. Gould objected on the ground of usage, that the Crown Lawyers, except in cases when evidence was tendered on the part of the Traversers, had no right to reply.

The Attorney General insisted on the right, Justice Osborne wished for precedents to establish the right.

Mr. O'Connell said that Mr. Justice Day ruled in the case of Williams (we think) on the last Munster Circuit, against the right claimed by the Crown in those cases.

Mr. Justice Day assented. Mr. Bellew said, that Mr. Justice Osborne ruled a similar case at the Assizes of Waterford.

Mr. Justice Osborne assented. Mr. Byrne cited a case from reports made in the time of Lord Kenyon, in which that able Judge had strongly reprobated the practice which Crown Lawyers assumed of speaking when no evidence had been produced by the Traverser.

Mr. O'Connell immediately read the passage, and in corroboration, cited the

case of Walter Cox, in which Lord Norbury and Baron George decided against Serjeant Moore, who essayed a reply.

Mr. Perrin stated the particulars of the case, in which the Chief Justice of the Common Pleas, said that the right of the Attorney General was a personal right and could not be transferred to his brother.

Mr. Justice Osborne was rather against the practice.

Mr. Justice Daily thought that it was established by analogy.

Mr. Justice Day was rather inclined with his brothers.

Mr. Bellew argued acutely against the right claimed.

The Chief Justice did not think the case in Lord Kenyon went to the present instance.

Mr. Burton said that perhaps the Crown would waive the right and allow the case to go to the Jury.

Mr. Ball insisted on the right of the Crown.

Mr. Solicitor General would not give up that right.

The Attorney General coincided with the Solicitor, and insisted on the right.

The Chief Justice at length determined in favour of the Crown.

Mr. Burton then asked whether since two Crown Lawyers were allowed to speak where no evidence was adduced on the part of the Traverser, another Counsel would not be allowed to his clients.

To this the Court after some hesitation assented.

Mr. Gould then touched upon all the leading topics of this great cause.

The Solicitor General replied.

The Chief Justice, after recapitulating the evidence, proceeded to define the Law. After about an hour and half's charge, the Jury retired.

Mr. Byrne rose and enquired whether the indictment on which the traversers were tried, was handed up to the Jury.

The Chief Justice said that it was not usual nor necessary.

Mr. Justice Osborne thought that the indictment might have been read to them, if they wished it.

Mr. O'Connell contended that the Jury should have a copy of the Indictment on which they were to decide.

While the point was mooted, Mr. Geale, the Foreman, and Mr. Pepper, returned into the Box and requested a Copy of the Indictment. He took occasion at the same time to inquire whether

the Court could bring in separate verdicts for the two counts laid in the Indictment.

—He was answered in the affirmative, and the Clerk of the Crown having enlarged the issue, the Jury again retired. In about an hour and a half, the Jury returned with a verdict of NOT GUILTY.

The names of the Jurors are these:

1. Benjamin Geale, Esq.
2. Peter D. Latouche, Esq.
3. Leland Crosthwaite, Esq.
4. John Orr, Esq.
5. John Duncan, Esq.
6. John Pepper, Esq.
7. William Sparrow, Esq.
8. John Hutton, Esq.
9. Robert Armstrong, Esq.
10. Edward Clibborn, Esq.
11. Charles Pentland, Esq.
12. John Hamilton, Esq.

The following is the substance of the Indictments found against Messrs. Kirwan and Taaffe.

County of the City of Dublin, to wit.

The Jurors of our Lord the King upon their oath present, that, on the 9th day of July, in the year of our Lord, 1811, at Fishamble-street, in the County of the City of Dublin, divers persons, to the said Jurors unknown, assembled themselves together, and being so assembled, and then and there contriving, and intending to cause and procure the appointment of Persons professing the Roman Catholic Religion, to exercise an authority to represent the inhabitants of Ireland professing the Roman Catholic Religion, under pretence of causing Petitions to both Houses of Parliament to be framed, for the repeal of all laws remaining in force in Ireland, by means whereof any person professing the Roman Catholic Religion is subject to any disability by reason, or in consequence of his religious tenets; and also, under pretence of procuring an alteration of the matters so established by law, did then and there, amongst other things, enter into certain Resolutions of and concerning such Committee, and of and concerning said laws so remaining in force in Ireland, and of and concerning certain districts in the City of Dublin, called Parishes, and used as such for the purpose of public worship, according to the rites of the Roman Catholic Religion, of the purport and effect here following: that is to say, that a Committee of Persons

professing the Roman Catholic Religion, meaning such Committee as aforesaid, should be appointed, and requested to cause proper Petitions to both Houses of Parliament to be forthwith framed, for the repeal of the Penal Laws, meaning the said laws so remaining in force in Ireland, and to procure signatures thereto in all parts of Ireland, and to take measures for bringing such Petition under the serious consideration of the Legislature, within the first month of the ensuing Sessions of Parliament; and that said Committee should consist of the Catholic Peers, and their eldest Sons, the Catholic Baronets, the Prelates of the Catholic Church in Ireland, and also ten persons to be appointed by the Catholics in each County in Ireland, the survivors of the Delegates of 1793, to constitute an integral part of that number, and also of five persons to be appointed by the Catholic inhabitants of each parish in Dublin, meaning each district so called a parish, as aforesaid, and that *Edward Sheridan*, late of Dominick street, in the County of the City of Dublin, Doctor of Physic, being a person professing the Roman Catholic Religion, and divers other persons professing the Roman Catholic Religion, to the said Jurors unknown, well knowing the premises, but being ill disposed persons, and unlawfully contriving and intending to aid and assist in and towards the constituting and forming of such Committee as aforesaid, on the 31st day of July, in the year 1811, at Liffey-street, in the County of the City of Dublin, in order to comply with such resolutions, and to aid and assist in and towards the constituting and forming such Committee, did meet and assemble themselves together for the purpose of appointing five persons to act as Representatives of the Inhabitants professing the Roman Catholic Religion, of and in one of the districts in the city of Dublin aforesaid, commonly called the Parish of St. Mary, in the said Committee so proposed to be formed, and that at and in the said Meeting so then and there held for the said purpose, one *Thomas Kirwan*, then and there being a person professing the Roman Catholic Religion, was then and there unlawfully appointed by the said persons so then and there assembled to act as one of the Representatives of the said Inhabitants of the said district in the said

(To be continued.)